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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

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| Application Number | 09/960,204 |
| Filing Date | September 21, 2001 |
| First Named Inventor | Gintaras A. Vaisnys |
| Art Unit | 1745 |
| Examiner Name | Raymond Alejandro |
| Attorney Docket Number | DEFIB 62663 |

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|-----------------------------------|
| Firm or Individual name | FULWIDER PATTON LEE & UTECHT, LLP |
| Signature | <i>David G. Parkhurst</i> |
| Date | October 26, 2004 |

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| Typed or printed name | David G. Parkhurst | | |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1745

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James W. Paul, Reg. No. 29,967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gintaras A. Vaisnys, et al.

Serial No. 09/960,204

Filed: September 21, 2001

For: MEDICAL DEVICE BATTERY
PACK WITH ACTIVE STATUS
INDICATION

Examiner: Raymond Alejandro

Group Art Unit: 1745

Client ID/Matter No. DEFIB-62663

October 26, 2004

Los Angeles, California 90045

AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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Dear Sir:

This is in reply to the Office Action dated August 27, 2004, which was made final.

Please enter the following amendments: